

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	)	
	)	
v.	)	Criminal Nos. 12-102
	)	12-265
RONALD ASHBY,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

Presently before the court is Defendant Ronald Ashby’s Motion to Reconsider Motion to Reduce Sentence Pursuant to 18 U.S.C. §3582(c)(1)(A)(i) (“Def. Mt.,” Doc. 56<sup>1</sup>), in which he argues that the Court should reconsider denying Defendant compassionate release based on a change in circumstances, that is, his release to Renewal Center and the resulting difficulties in meeting the requirements of his employment. Defendant notes that he is gainfully employed and well-regarded by his employer, but that due to COVID-19 policies regarding lockdown at Renewal, he is facing challenges in his ability to work. He once again asks for a reduction in his sentence to time served or in the alternative, reduced to time served and released to home detention with electronic monitoring for six months or a period of time not to exceed his max-out date.

The Government opposes Defendant’s motion, arguing that Defendant’s time at Renewal Center is not just “designed to reintegrate the defendant back into society; it is also part of his punishment for those serious crimes.” Government’s Response to Defendant’s Motion to

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<sup>1</sup> Defendant filed this Motion only at Cr. No. 12-102.

Reconsider Motion to Reduce Sentence Pursuant to 18. U.S.C. §3582(c)(1)(A)(i) (“Gov. Opp.”), Doc. 58. For the reasons set forth below, Defendant’s Motion will be granted.

Although Defendant was sentenced for two serious crimes, the Court notes that Defendant had no criminal history points, and that the length of the sentence was due to mandatory minimums. See Order Denying Motion for Compassionate Release (Doc. 55); Def. Mt. at 1. Significantly, Defendant has served almost his entire sentence at this stage, as he is set to be released on electronic home monitoring on January 15, 2021, and released from the Bureau of Prisons on July 15, 2021. Def. Mt. at 5. At this stage, it appears that the primary purposes of sentencing have been met, as Defendant has found employment and appears to be successful, except for the circumstances he outlines in his Motion that are stymying his development. Id. at 2. The Court acknowledges that finding employment during COVID has been difficult, and that finding employment with criminal convictions more so, even in non-pandemic times, and commends Defendant for his efforts to date. Allowing Defendant to remain in a situation that is causing him to be unable to work, and potentially lose his job — all over an additional two weeks at Renewal — can only be viewed as contrary to many of the goals of sentencing.

The Court agrees with Defendant that the availability of new evidence, that is, the facts related to Defendant’s housing at Renewal Center, are sufficient to alter the Court’s original judgment in denying his Motion. Defendant’s Motion to Reconsider Motion to Reduce Sentence Pursuant to 18 U.S.C. §3582(c)(1)(A)(i) (**Doc. 56**) is GRANTED. Defendant’s sentence shall be modified to permit him to serve the remainder of his sentence on home confinement at the home of Jenna Neal, located at 61 Auburn Street, Pittsburgh, PA 16206.

During the period of home detention, Defendant shall remain at his place of residence except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the probation officer. At the discretion of the probation officer, Defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. All other aspects of the original sentence, to the extent that they are not inconsistent with this Order, remain in full force and effect.

IT IS SO ORDERED.

December 31, 2020

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All Counsel of Record